



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael CRISTOFALO et al.

Serial No.: 09/852,229

Filing Date: May 8, 2001

For: TECHNIQUE FOR OPTIMIZING THE  
DELIVERY OF ADVERTISEMENTS  
AND OTHER PROGRAMMING  
SEGMENTS BY MAKING  
BANDWIDTH TRADEOFFS

Examiner: H. V. Tran

Group Art Unit: 2611

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

***Mail Stop Amendment***

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the foreign documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission.

01/30/2006 HALI11 00000138 031952 09852229

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Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **559442003900**.

Dated: January 27, 2006

Respectfully submitted,

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	09/852,229
				Filing Date	May 8, 2001
				First Named Inventor	Michael CRISTOFALO
				Art Unit	2611
				Examiner Name	Hai V. Tran
Sheet	1	of	1	Attorney Docket Number	559442003900

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	5,263,723	11/23/1993	PEARSON et al.	
	2.	5,625,693	4/29/1997	ROHATGI et al.	
	3.	5,748,731	5/5/1998	SHEPHERD	
	4.	5,779,549	7/14/1998	JORASCH et al.	
	5.	5,846,132	12/8/1998	JUNKIN	
	6.	5,884,004	3/16/1999	SATO et al.	
	7.	5,951,639	9/14/1999	MACINNIS et al.	
	8.	6,049,830	4/11/2000	SAIB et al.	
	9.	2002/049980	4/25/2002	HOANG	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	10.	WO 96/41472	12/19/1996			
	11.	AU 747337 B2	8/16/1999		corresponds to WO 99/39506	
	12.	WO 00/64180	10/26/2000			
	13.	WO 01/28248	4/19/2001			
	14.	WO 01/47250	6/28/2001			
	15.	WO 01/50762	7/12/2001		translation of abstract only	

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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